

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

MARLA ENGLISH )  
                  )  
                  )  
Plaintiff,      )  
                  )  
                  )  
v.                )      1:22-cv-237  
                  )  
                  )  
KILOLO KIJAKAZI, Acting      )  
Commissioner of Social Security, )  
                  )  
                  )  
Defendant.      )

**ORDER**

On April 26, 2023, the United States Magistrate Judge's Memorandum Opinion and Recommendation ("Recommendation") was filed and notice was served on the parties pursuant to 28 U.S.C. § 636. (Docs. 14, 15.) No objections were filed within the time limits prescribed by Section 636.

Therefore, the court need not make a de novo review and the Magistrate Judge's Recommendation is hereby adopted.

**IT IS THEREFORE ORDERED** that the Magistrate Judge's Recommendation, (Doc. 14), is **ADOPTED**. **IT IS FURTHER ORDERED** that Plaintiff's Motion for Judgment on the Pleadings, (Doc. 10), is **GRANTED IN PART**, Defendant's Motion for Judgment on the Pleadings, (Doc. 11), is **DENIED**, and that the Commissioner's decision finding no disability is **VACATED**. **IT IS FURTHER ORDERED** that this action is **REMANDED** to the Commissioner under sentence four of 42 U.S.C. § 405(g) for further administrative

proceedings, to include, but not limited to, evaluation by the ALJ of the Questionnaire and, in light of the Questionnaire, reconsideration of 1) whether Plaintiff's mental impairments meet or medically equal any listings, and 2) Plaintiff's mental RFC.

A Judgment remanding this action will be filed contemporaneously herewith.

This the 13th day of June, 2023.

William L. Osten, Jr.  
United States District Judge